

## **REMARKS/ARGUMENTS**

Initially, Applicants would like to thank the Examiner for the detailed Official Action, and for the indication that the drawings are acceptable. Applicants additionally wish to thank the Examiner for the acknowledgement of Applicants' claim for foreign priority and that the certified copies of the priority documents have been received. Applicants would also like to thank the Examiner for considering the materials cited in the Information Disclosure Statements filed in the present application on November 27, 2006 and December 31, 2008.

In the Official Action, the Examiner objected to the specification. Claim 13 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 1-6 and 12-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over HIRANO (U.S. Patent Application Publication No. 2002/0047917 A1) in view of KOMAGATA (U.S. Patent Application Publication No. 2003/0193512 A1). Claims 7-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over HIRANO in view of KOMAGATA and JOHNSON et al. (U.S. Patent No. 6,961,061 B1).

Upon entry of the amendment, all of the previously pending claims 1-19 have been cancelled. Three new independent claims 20-22 have been added. New claim 20 is based upon prior claim 1. New claim 21 is based upon prior claim 12. New claim 22 is based upon prior claim 13. Thus, claims 20-22 are currently pending for consideration by the Examiner.

The Official Action objected to the specification. More specifically, the Official Action objected to the Abstract of the Disclosure, asserting that the Abstract contains reference characters. The Abstract of the Disclosure has been amended to remove the objectionable reference characters. Accordingly, Applicants respectfully request that the objection to the specification be withdrawn.

Independent claim 13 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. More specifically, the Official Action asserted that claim 13 was directed to a computer program *per se*, which the USPTO generally regards as being non-statutory subject matter. Claim 13 has been cancelled. Accordingly, Applicant respectfully submit that the rejection under 35 U.S.C. § 101 is now moot.

The Official Action rejected claims 1-19 under 35 U.S.C. § 103(a) as being unpatentable over the above-cited prior art. Claims 1-19 have been cancelled. Accordingly, Applicants respectfully submit that the rejection of claims 1-19 under 35 U.S.C. § 103(a) is now moot.

New independent claims 20-22 have been added. New independent claim 20 is directed to a display processor which displays a synthesized superimposed graphics image, based on a program which is downloaded and executed. New independent claim 21 is directed to a corresponding method of displaying a synthesized superimposed graphics image. Additionally, new independent claim 22 is directed to a corresponding computer-readable medium encoded with a computer-executable program for displaying a synthesized superimposed graphics image.

With regard to new independent claim 20, Applicants submit that claim 20 explicitly recites how the computer processor downloads and executes a program, in order to control how a provider provides a plurality of storage areas, wherein each storage area stores a graphics image. Claim 20 also recites how a notifier provides a notification to the executed program, regarding the order of superimposing the graphics images, which is stored in an order storage. Claim 20 further recites how the stored graphics images are superimposed and displayed according to the order of superimposing the graphics images to form the synthesized superimposed graphics image, and that the graphics images are stored in the plurality of areas for storing the graphics images in accordance with the order stored in the order storage.

Applicants submit that the features explicitly recited in claim 20 facilitate a smooth and fast display of the synthesized superimposed graphics image because of the ordered storage and superimposing of the various stored graphic images. Applicants submit that this ordered storage and superimposing of the stored graphic images is in distinct contrast to the conventional manner of producing a synthesized graphics image by utilizing repetitive calculations considering the overlapping of the various different graphics images. Since the claimed ordered storage and superimposing of the stored graphics images avoids the traditional calculations, the displaying of the synthesized superimposed graphics image is much faster than the traditional manner of generating synthesized images.

Applicants submit that none of the applied prior art references taken alone, or in any combination, disclose or render obvious all of the features recited in independent claim 20. As a fundamental deficiency, Applicants submit that HIRANO fails to disclose the generation of a synthesized superimposed graphics image by using a plurality of stored graphic images, which was acknowledged by the Official Action. In distinct contrast, Applicant submits that HIRANO's image processing unit (10) utilizes extensive image processing calculations for each of the layer image signals in order to generate a composite image, as evidenced in HIRANO's paragraph [0033] and the description of HIRANO's Figures 3A, 3B, and 3C.

Applicants also submit that HIRANO does not disclose the downloading of a program for displaying a synthesized superimposed graphics image into a display processor, and the subsequent execution of the downloaded superimposing program by the display processor. In contrast, HIRANO's paragraph [0028] cited by the Official Action merely states that the BS digital broadcast signal transmits formatted data, not a graphic image superimposition program. Applicants further submit that HIRANO fails to disclose a storage that stores a plurality of

graphics images for superimposition in accordance with an order stored in an order storage, because HIRANO's system is distinctly different from that recited in claim 20.

In the Official Action, KOMAGATA was cited for teaching a system that combines a plurality of image layers. Contrary to this assertion, Applicants submit that KOMAGATA does not disclose the specific storage and superimposition features recited in claim 20. For instance, Applicants submit that in KOMAGATA's Figure 1 and the corresponding description, images are stored in a plurality of layers irrespective of the order indicated by the information stored in the register. In other words, KOMAGATA fails to disclose the downloading and execution of a program that explicitly causes a provider to store the specific order of superimposing the stored graphics images in an order storage, and to store a plurality of graphics images in distinct storage areas in accordance with the order stored in the order storage. Since KOMAGATA fails to disclose the explicitly claimed interrelationship of the stored graphics images and the stored order, Applicants submit that KOMAGATA naturally fails to disclose the subsequent forming of the synthesized superimposed image using the stored order from the order storage, which specifies the exact configuration of the superimposition.

Applicants note that in the Official Action, JOHNSON was cited for teaching overlaying video layers. Applicants submit that JOHNSON fails to remedy the deficiencies of HIRANO and KOMAGATA discussed above.

For at least the reasons discussed above, Applicants submit that new independent claim 20 is patentable over HIRANO, KOMAGATA, JOHNSON, or any combination thereof. Additionally, since new independent claims 21 and 22 recite features similar to independent claim 20, Applicants submit that claims 21-22 are also patentable. Accordingly, Applicants

respectfully request that an indication of the allowability of claims 20-22 be provided in the next Official communication.

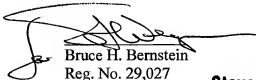
### SUMMARY

From the amendments, arguments, and remarks provided above, Applicants submit that all of the pending claims in the present application are patentable over the references cited by the Examiner, either alone or in combination. Accordingly, reconsideration of the outstanding Official Action is respectfully requested and an indication of allowance of claims 20-22 is now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims which have been made by this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
Takakazu SHIOMI et al.



Bruce H. Bernstein  
Reg. No. 29,027

**Steven Wegman**  
**Reg. No. 31,438**

August 5, 2009  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191